



June 25, 2003

Victor Ketellapper  
E.P.A. Remedial Project Manager

Dear Mr. Ketellapper,

We believe that establishing an E.P.C. arsenic level of 70 mg/kg for the VB-I-70 site is totally unwarranted from both a public health and economic sense for the following reasons:

1. The final feasibility report addendum confirms that the proposed arsenic standard of 70 mg/kg is solely based on that number having been the Globeville clean up action level and not on higher threshold numbers that E.P.A. studies and data prove to be a safe standard. In fact all E.P.A. data indicates that below 240 mg/kg arsenic, soil is not a major source of exposure and/or risk.
2. The proposed plan issued by E.P.A. and the C.D.P.H.E. in May 2002 identified alternative 4 as a preferred alternative with an arsenic E.P.C. level greater than 128 mg/kg to require remediation.

Based on findings of the Baseline Human Health Risk Assessment, an arsenic E.P.C. of 128 mg/kg corresponds to a point estimate risk level of  $8 \times 10^{-5}$  which is within the range requested by C.D.P.H.E. indicating that there is a 99% probability that the true risks are lower than the estimated risk. "-----, thus it is not necessary to take remedial action at properties where risks within E.P.A's acceptable risk range (128 mg/kg) in order to be protective at the VB/I-70 site."

The above quote has been taken directly from the Final Feasibility Study Report Addendum of 12/20/02 and has been underlined by us for emphasis.

3. The remedial investigative report associated with the previously referenced F.S.R.A. states in part, "In this regard it should be noted that even though many people are exposed to arsenic in soils that are predicted to be of acute concern both within the VB/I-70 site and elsewhere across the country and around the world, to the best of U.S.E.P.A's knowledge there has never been a single case of acute arsenic toxicity reported in humans that was attributed to arsenic in soil. Thus these results for the acute pica scenario are considered to be especially uncertain since they predict a very substantial risk for which there is no corroborating medical or epidemiological evidence."

4. Both initial sampling and re-sampling of tested children in the VB/I-70 area under the Kids At Play Health Survey has revealed that less than 1% of children tested have initial urinary arsenic levels greater than 30 micrograms per liter (ug/L), a level which A.T.S.D.R. considers to be within normal levels.
5. The U.S. Geological Survey provides strong support for all of the 4 prior E.P.A. conclusions by publishing that the normal concentration range of arsenic in soil for the western U.S. is 0.1-97.0 mg/kg. Anything within this norm would not be regarded as a risk according to the Department of Geological Survey.

If alternative 6 is selected with the proposed arsenic level of 70 mg/kg it will result in:

- a) Unnecessarily stigmatizing and devaluing property until remediation occurs without any gain in benefit to the general public.
- b) Causes all prior E.P.A. studies and data which supports a higher threshold number as being safe to be superfluous.
- c) Very poor expenditure of additional dollars without the ability to demonstrate any measurable gain during an era of mega federal budget deficits and a down economy in general.

In closing, we believe it would be frivolous to clean up arsenic levels at 70 mg/kg that are obviously "Safe Harbors" by virtue of all prior scientific data and studies amassed by E.P.A.

As both taxpayers and community health minded individuals we support the setting of arsenic threshold levels that are based on existing E.P.A. scientific study and data as opposed to the emulation of a standard used in a community (Globeville) that could be likened to a mini "Chernobyl".

We believe any additional funding would be better spent by:

- 1) Combining the arsenic level of 128 mg/kg of alternative 4 with the lead level of 400 p.p.m. that is a component of alternative 6.

- 2) To aggressively go after that 25-30% of residents in the area that have not been soil tested who could be unwittingly sitting on individual mini "Chernobyl" sites.

Respectfully,

*George J. Love*  
Chairman - Northeast Apartment  
Owners and Managers Group

P.S.

I Am ATTACHING A LISTING OF  
MY ORGANIZATION'S MEMBERSHIP  
FOR YOUR INFORMATION.

AS CHAIRMAN OF THIS ORGANIZATION  
PLEASE ATTEND ALL CORRESPONDENCE,  
IF ANY, TO ME AT:  
NORTH EAST APARTMENT OWNERS & MANAGERS GROUP  
C/O George J. Love  
P.O. Box 7041  
Denver, CO. 80207  
303-322-0161

**ACTIVITY SCHEDULE  
2003  
NORTHEAST APARTMENT OWNERS  
MANAGERS GROUP  
20 NOVEMBER 2002**

Month	Host	Comments
January	Cal Poche 303-777-1111	
February	George Love 303-322-0161	
March	Ella Coney 303-777-1111	
April	Elton Alexander 303-777-1111	
May	John Smith 303-777-1111	
June	Sylvester Williams 303-777-1111	
July	Eddie Jones 303-777-1111	
August	Elaine Smith 303-777-1111	
September	Dean Brown 303-777-1111	
October	Cal Poche 303-777-1111	
November	George Love 303-322-0161	
December	Christmas Holiday No Meeting - Merry Christmas!!!	